

~~PATENT COOPERATION TREATY~~

From the
INTERNATIONAL SEARCHING AUTHORITY

To:

see form PCT/ISA/220

PCT

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY
(PCT Rule 43 bis.1)

Date of mailing
(day/month/year) see form PCT/ISA/210 (second sheet)

Applicant's or agent's file reference
see form PCT/ISA/220

FOR FURTHER ACTION
See paragraph 2 below

International application No.
PCT/GB2004/004068

International filing date (day/month/year)
24.09.2004

Priority date (day/month/year)
24.09.2003

International Patent Classification (IPC) or both national classification and IPC
B65G69/24

Applicant
HAMM, Brian L.

1. This opinion contains indications relating to the following items:

- ☒ Box No. I Basis of the opinion
- ☒ Box No. II Priority
- ☒ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- ☒ Box No. IV Lack of unity of invention
- ☒ Box No. V Reasoned statement under Rule 43 bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- ☐ Box No. VI Certain documents cited
- ☐ Box No. VII Certain defects in the international application
- ☐ Box No. VIII Certain observations on the international application

2. FURTHER ACTION

If a demand for International preliminary examination is made, this opinion will usually be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA"). However, this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1 bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of three months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

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10/573325
IAP9 Rec'd PCT/PTO 24 MAR 2006**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**International application No.
PCT/GB2004/004068**Box No. I Basis of the opinion**

1. With regard to the language, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.
☐ This opinion has been established on the basis of a translation from the original language into the following language , which is the language of a translation furnished for the purposes of international search (under Rules 12.3 and 23.1(b)).
2. With regard to any nucleotide and/or amino acid sequence disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:
 - a. type of material:
☐ a sequence listing
☐ table(s) related to the sequence listing
 - b. format of material:
☐ in written format
☐ in computer readable form
 - c. time of filing/furnishing:
☐ contained in the international application as filed.
☐ filed together with the international application in computer readable form.
☐ furnished subsequently to this Authority for the purposes of search.
3. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
4. Additional comments:

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Box No. II Priority

1. ☒ The following document has not been furnished:

- ☒ copy of the earlier application whose priority has been claimed (Rule 43*bis*.1 and 66.7(a)).
- ☐ translation of the earlier application whose priority has been claimed (Rule 43*bis*.1 and 66.7(b)).

Consequently it has not been possible to consider the validity of the priority claim. This opinion has nevertheless been established on the assumption that the relevant date is the claimed priority date.

2. ☐ This opinion has been established as if no priority had been claimed due to the fact that the priority claim has been found invalid (Rules 43*bis*.1 and 64.1). Thus for the purposes of this opinion, the international filing date indicated above is considered to be the relevant date.
3. ☐ The International Searching Authority has not been able to consider the validity of the priority claim because a copy of the earlier application whose priority has been claimed was not available to the International Searching Authority at the time that the search was conducted (Rule 17.1). This opinion has nevertheless been established on the assumption that the relevant date is the claimed priority date.

4. Additional observations, if necessary:

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Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability

The questions whether the claimed invention appears to be novel, to involve an inventive step (to be non obvious), or to be industrially applicable have not been examined in respect of:

- ☐ the entire international application,
☒ claims Nos. 12-14

because:

- ☐ the said international application, or the said claims Nos. relate to the following subject matter which does not require an international preliminary examination (*specify*):
- ☐ the description, claims or drawings (*indicate particular elements below*) or said claims Nos. are so unclear that no meaningful opinion could be formed (*specify*):
- ☐ the claims, or said claims Nos. are so inadequately supported by the description that no meaningful opinion could be formed.
- ☒ no international search report has been established for the whole application or for said claims Nos. 12-14
- ☐ the nucleotide and/or amino acid sequence listing does not comply with the standard provided for in Annex C of the Administrative Instructions in that:
- the written form ☐ has not been furnished
- ☐ does not comply with the standard
- the computer readable form ☐ has not been furnished
- ☐ does not comply with the standard
- ☐ the tables related to the nucleotide and/or amino acid sequence listing, if in computer readable form only, do not comply with the technical requirements provided for in Annex C-bis of the Administrative Instructions.
- ☐ See separate sheet for further details

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Box No. IV Lack of unity of invention

1. ☒ In response to the invitation (Form PCT/ISA/206) to pay additional fees, the applicant has:
- ☐ paid additional fees.
 - ☐ paid additional fees under protest.
 - ☒ not paid additional fees.
2. ☐ This Authority found that the requirement of unity of invention is not complied with and chose not to invite the applicant to pay additional fees.
3. This Authority considers that the requirement of unity of invention in accordance with Rule 13.1, 13.2 and 13.3 is
- ☐ complied with
 - ☒ not complied with for the following reasons:
 see separate sheet
4. Consequently, this report has been established in respect of the following parts of the international application:
- ☐ all parts.
 - ☒ the parts relating to claims Nos. 1-11

Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Yes: Claims	1-11
	No: Claims	
Inventive step (IS)	Yes: Claims	1-11
	No: Claims	
Industrial applicability (IA)	Yes: Claims	1-11
	No: Claims	

2. Citations and explanations**see separate sheet**

**WRITTEN OPINION OF THE
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AUTHORITY (SEPARATE SHEET)**

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Re Item IV.

1. The separate groups of inventions are:

Claims 1-11

A material handling system comprising a mobile workstation and a self-propelled tug, whereby said mobile workstation is provided with a tow bar and said self-propelled tug has a body mounted on three wheels and a tow bar hitch adapted to couple with said tow bar.

Claim 12

A material handling system comprising a mobile workstation having a roller conveyor and a self-propelled tug, whereby said mobile workstation is provided with a roller power transmission engageable with a complementary drive coupling provided on said tug.

Claim 13

A material handling system comprising a self-propelled tug and a mobile workstation having a roller conveyor supported on an alternative workstation chassis.

Claim 14

A materials handling system comprising a truck dock comprising a chassis supporting an elevator.

They are not so linked as to form a single general inventive concept (Rule 13.1 PCT) for the following reasons:

2. The general problem to be solved by the present invention may be regarded as, how to obtain an improved materials handling system.
3. A materials handling system comprising a mobile workstation and a self-propelled tug, whereby said mobile workstation has a roller conveyor supported on a workstation chassis having casters engageable with a floor is already disclosed by document D1 = US-A-5718325 (e.g. see: column 4, line 36 - column 5, line 8; column 6, line 58 - column 7, line 4).
4. The following technical features of claims (1-11), (12), (13) and (14) make a

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contribution over the prior art D1 and can be considered as special technical features:

- 1) A material handling system comprising a mobile workstation and a self-propelled tug, whereby said mobile workstation is provided with a tow bar and said self-propelled tug has a tow bar hitch adapted to couple with said tow bar, the corresponding technical problem to be solved may be regarded as, how to stably couple said tug and said workstation.
- 2) A material handling system comprising a mobile workstation having a roller conveyor and a self-propelled tug, whereby said mobile workstation is provided with a roller power transmission engageable with a complementary drive coupling provided on said tug, the corresponding technical problem to be solved may be regarded as, how to transmit power to said roller conveyor.
- 3) A material handling system comprising a self-propelled tug and a mobile workstation having a roller conveyor supported on a workstation chassis, the corresponding technical problem to be solved may be regarded as, how to obtain an alternatively shaped roller conveyor support chassis.
- 4) A materials handling system comprising a truck dock comprising a chassis supporting an elevator, the corresponding technical problem to be solved may be regarded as, how to obtain an alternatively shaped truck dock chassis.

Neither the objective problem underlying the subjects of the claimed inventions, nor their solutions defined by the special technical features allow for a relationship to be established between the said inventions, which involves a single general inventive concept.

5. In conclusion the groups of claims (1-11), (12), (13) and (14) are not so linked by common or corresponding special technical features and define 4 different inventions not linked by a single general inventive concept.

The application, hence does not meet the requirements of unity of invention as defined in Rules 13.1 and 13.2 PCT.

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PCT/GB2004/004068**Re Item V.**

1. The following documents are referred to in this communication:
D1 = US-A-5718325.
2. State of the art
Document D1, which is considered to represent the most relevant state of the art, discloses (the references in parenthesis applying to this document):
A materials handling system (Adjustable conveyor system) comprising a mobile workstation (second conveyor unit (3)) and a self-propelled tug-(tug unit (2)), said mobile workstation having a roller conveyor (rollers (15)) supported on a chassis, said chassis having casters (wheels (14)) engageable with the floor (see: figures).
The subject-matter of claim 1 is therefore novel (Article 33(2) PCT)
3. Problem
The problem to be solved by the present invention may be regarded as, how to develop a materials handling system comprising a mobile workstation and a self-propelled tug, whereby said tug and said workstation are stably and safely coupled.
4. Solution
The solution to this problem proposed in claim 1 of the present application is considered as involving an inventive step (Article 33(3) PCT).
5. Claims 2-11 are dependent on claim 1 and as such also meet the requirements of the PCT with respect to novelty and inventive step....
6. The subject matter of claims 1-11 is clearly industrially applicable (Article 33(4) PCT).
7. The features of the claims are not provided with reference signs placed in parentheses (Rule 6.2(b) PCT).
8. Independent claim 1 is not in the two-part form in accordance with Rule 6.3(b) PCT, which in the present case would be appropriate, with those features known in combination from the prior art (document D1) being placed in the preamble (Rule 6.3(b)(I) PCT) and with the remaining features being included in the characterising part (Rule 6.3(b)(ii) PCT).

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9. Contrary to the requirements of Rule 5.1(a)(ii) PCT, the relevant background art disclosed in document D1 is not mentioned in the description, nor is this document identified therein.